

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION

FILED BY JE D.C.

05 SEP -6 PM 2: 23

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

ROGER L. SMITH,
Plaintiff,

v.

LIFE INSURANCE COMPANY OF NORTH
AMERICA, a subsidiary of CIGNA
CORPORATION; SHARP ELECTRONICS
CORPORATION; and SHARP
ELECTRONIC CORPORATION LONG
TERM DISABILITY PLAN,
Defendants.

Case No.: 1:05cv2050-D/P

**ORDER EXTENDING THE DISCOVERY PERIOD AND ALL OTHER RELATED
DEADLINES**

COME NOW Defendants Sharp Electronics Corporation and Sharp Electronics Corporation Long Term Disability Plan, through their counsel of record, and Plaintiff Roger L. Smith, through his counsel of record, and hereby file this Order Extending the Discovery Period and All Other Related Deadlines.

The Plaintiff's deposition was scheduled for August 26, 2005. Subsequently, Plaintiff's counsel was scheduled to attend a meeting with members of the federal district court including judges, and Plaintiff's counsel did not believe it could be rescheduled without inconveniencing the federal judges. Plaintiff's counsel made arrangements to participate by video and paid a non-refundable set up fee. However, the time that would be allotted to take Plaintiff's deposition based on

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counsel's schedule was insufficient. Accordingly, the Parties agreed postpone the deposition.

After the deposition was postponed, the Parties attempted to reschedule. However, because of both Defendants' counsel's and Plaintiff's counsel's scheduling conflicts, the Parties where unable to reschedule the Plaintiff's deposition before the current deadline for the close of discovery.

At this time, the discovery deadline is September 9, 2005. The Parties have diligently engaged in discovery, and have also diligently attempted to resolve this matter. Specifically, the Parties have exchanged documents, and, although there are outstanding responses to Defendants' request for production, the Parties expect to resolve this matter among themselves. Additionally, the Parties have mediated this case, and engaged in serious settlement discussions following that unsuccessful mediation and intend to continue settlement discussions.

For these reasons, the Parties respectfully request a sixty day extension of the discovery period and all other related deadlines. This is the Parties first request for an extension, and neither Party will be prejudiced by the same.

WHEREFORE AND UPON GOOD CAUSE SHOWN, and upon the consideration that the Parties have been working diligently to complete discovery and are attempting to protect the interest of all Parties involved, IT IS HEREBY ORDERED that the discovery

period is extended up to and including November 4, 2005, the deadline for the filing of dispositive motions is extended up to and including December 5, 2005, and any other related deadlines are extended sixty days, consistent with the above extended deadlines.

It is so ORDERED this 6 day of August, 2005.

A handwritten signature in black ink, appearing to read "Tu Pham", written over a horizontal line.

Honorable ~~Bernice Donald~~ Tu M. Pham
United States ~~District~~ Judge
Magistrate



Notice of Distribution

This notice confirms a copy of the document docketed as number 39 in case 2:05-CV-02050 was distributed by fax, mail, or direct printing on September 9, 2005 to the parties listed.

Joseph M. Crout
BOWLING & BOWLING
7936 Players Forest Dr.
Memphis, TN 38119

Kenton Jones Coppage
CARTER & ANSLEY
1180 West Peachtree Street
2300 Atlantic Center Plaza
Atlanta, GA 30309

Elizabeth Johnson Bondurant
CARTER & ANSLEY
1180 West Peachtree Street
2300 Atlantic Center Plaza
Atlanta, GA 30309

Pamela Ilene Atkins
GALLER & ATKINS
1117 Perimeter Center West
Suite W405
Atlanta, GA 30338

Robert M. Williams
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

Kurt Russell Ward
GALLER & ATKINS
1117 Perimeter Center West
Suite W405
Atlanta, GA 30338

Amy J. Traub
EPSTEIN BECKER & GREEN, P.C.
250 Park Ave.
New York, NY 10177--121

Jon Michael Gumbel
EPSTEIN BECKER & GREEN
945 East Paces Ferry Road
Resurgens Plaza Suite 2700
Atlanta, GA 30326--138

Nikole Marie Crow
CARTER & ANSLEY
1180 West Peachtree Street
2300 Atlantic Center Plaza
Atlanta, GA 30309

Honorable Bernice Donald
US DISTRICT COURT